

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of:)
)
Amendment of Part 97 of the Commission's) RM- 10786
Amateur Service Rules to Eliminate)
Morse code testing.)
)

To: The Commission

COMMENTS ON RM- 10786 PETITION FOR RULEMAKING by NCI

Pursuant to the Commission's procedural rules, the commenting party, Charles L. Young Jr., hereby respectfully submits the following comments on the Petition For Rulemaking of No Code International (NCI), RM-10786.

1. NCI purports to be a large international organization. The Commission should require NCI to provide information to substantiate that claim. My estimate is that their US membership is around 5000 members or less. By contrast, the ARRL has 140,000 members in the US and defines what a large organization would be. Although I believe that even individuals should be heard before the Commission (and that normally should include small organizations like NCI), I also believe that the reasons why NCI seeks to misrepresent itself bear investigation by the Commission. **The NCI petition should be DENIED based on trying to give false impression to the Commission.**
2. NCI requests that the FCC remove all telegraphy testing, a request put forth in light of the ITU meeting results changing the Radio Regulations and removing the requirement for CW testing internationally. The Commission already stated in Report and Order 99-412 that they would not tie sunset of the code test requirement automatically to the ITU. **The NCI petition should be DENIED on the basis that it asks the Commission to do something the Commission already said it would not do.**
3. NCI requests the Commission to suspend normal procedure and remove telegraphy testing without normal process. Since the Commission stated that it would not automatically sunset code testing on the basis of ITU action, and because the ITU change merely SUGGESTS code testing be removed, **the Commission should DENY the NCI petition on grounds it calls for the FCC to act without due process.**
4. NCI tries to make the argument in the petition that other countries are deleting CW testing and so should the US. It attempts to make the point that our amateurs will be at a disadvantage when compared to other countries. The Commission has stated and NCI even repeats that the ITU rule change is not a mandate for the FCC to act. **The NCI petition should be DENIED for asking the Commission to do something NCI already acknowledges the FCC does not have a mandate to do.**
5. NCI petition suggests that Amateur radio is losing new blood due to the telegraphy testing. The petition gives no supporting data except for the claim itself and reference to "technically inclined and the younger generation." Almost every mode available on frequencies below 30MHz is available above 30 MHz. All the new digital modes for video, audio, data, computer network tie in are all bandwidth intensive and require

bandwidth only available above 50MHz. The technically inclined and younger generation have access to these modes now via a no code technician class license. The **NCI petition should be DENIED as unnecessary, and asking for something that already exists.**

6. Making the assumption that what the new blood and CW challenged really want to do is to converse with distant amateurs using SSB on HF (what is euphemistically referred to outside of Amateur Radio as "talking skip"), there are other petitions before the Commission that will accomplish this without the need to remove all telegraphy testing. **The NCI petition should be DENIED on the basis of being superfluous to the primary goal of new coders access to SSB on HF.**
7. NCI is an organization with one goal, the removal of telegraphy testing from all license classes. In an election related letter for NCI members on their website, Larry Klose of NCI states that although he is aware that 70% of respondents to the FCC inquiries during the restructuring debate favor a minimum of 5 WPM testing, NCI must keep up the fight to remove all CW testing. Clearly NCI is stating that although they know what amateurs want, they will ignore that and fight for their stated goal to remove ALL testing. **While there is nothing wrong with a minor organization having and seeking goals contrary to what they admit most amateurs want, it is not right when they seek to legislate their views as what most operators want while knowing the opposite to be true.**
8. The overall tone of the MCI petition is that there is a mandate for immediate action in this matter. These comments on RM-10786 show the opposite to be true. I respectfully request the Commission or **REJECT, DISMISS, or DENY** the NCI petition for the stated reasons as soon as possible.

Respectfully submitted,

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